

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**IN RE:**

**VICTORIA DESHELIA JONES  
508 AMALIE COURT  
NASHVILLE, TN 37211**

**CASE NO: 3:17-05779  
CHAPTER 13  
JUDGE: HARRISON**

**Debtor:  
SSN: XXX-XX-0707**

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**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: *May 19, 2019* IF A  
RESPONSE IS TIMELY FILED, THE HEARING WILL BE: *June 3, 2019, 8:30 A.M.*  
*Court Room 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203***

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**NOTICE OF MOTION TO DIRECT INSURANCE PROCEEDS**

**The Debtor has asked the court for the following relief: The Debtor wishes to direct Insurance Proceeds to be paid to the Trustee for application to her bankruptcy case.**

**YOUR RIGHTS MAY BE AFFECTED.** If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before **May 19, 2019**, you or your attorney must:

1. File with the court your written response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1<sup>st</sup> Floor, Nashville, TN (Monday – Friday, 8:00 A.M. – 4:00 P.M.)

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by viewing the case on the court's web site at [www.tnmb.uscourts.gov](http://www.tnmb.uscourts.gov).

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: April 25, 2019

/s/ Mark Podis

Mark R. Podis #012216

Attorney for Debtor

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**MOTION TO DIRECT INSURANCE PROCEEDS**

Comes now the Debtor, by and through the undersigned counsel, and give notice to the Court of the Debtors' intention to direct insurance proceeds to be paid to the Trustee for application to her bankruptcy case, and in support thereof would show unto the Court as follows:

1. Debtor's 2009 Chevy Traverse was totaled in an auto accident on or about January 26, 2019.
2. **State Farm Insurance Company (Claims Dept)**, PO Box 52250, Phoenix, AZ 85072-2250, claim # 42-7450-Q67 is prepared to pay the total loss settlement in the amount of \$9,468.86
3. **Insolve Auto Funding**, Dept #3403, PO Box 123403, Dallas, TX 75312, is the lienholder for said vehicle.
4. Debtor requests settlement proceeds in the amount of \$9,468.86 be forwarded to the Chapter 13 Trustee to disburse the proper amount to pay off the Lien Holder, and any remaining settlement proceeds to be forwarded directly to the Debtor to be used as a down payment in order to purchase another vehicle.

5. The Debtor requests, that The Chapter 13 Trustee to disburse funds to pay off the Lien Holder, **Insolve Auto Funding**.
6. **Insolve Auto Funding** shall release the lien and title to **State Farm Insurance Company** upon entry of Order on this motion.

WHEREFORE, Debtors respectfully pray that an Order be entered allowing:

1. **State Farm Insurance Company**, PO Box 52250, Phoenix, AZ 85072-2250, claim # 42-7450-Q67 is prepared to pay the total loss settlement in the amount of \$9,468.86
2. The Settlement proceeds of \$9,468.86 to be forwarded to the Chapter 13 Trustee to disburse proper amount to pay off the Lien holder, and any remaining settlement proceeds to be forwarded directly to the Debtor to be used as a down payment in order to purchase another vehicle.
3. The Chapter 13 Trustee to disburse funds to pay off the Lien Holder, **Insolve Auto Funding**.
4. **Insolve Auto Funding** shall release the lien and title to **State Farm Insurance Company** upon entry of Order on this motion.
5. NOTICE IS PROVIDED TO CREDITORS. FAILURE TO OBJECT TO THIS MOTION MEANS YOU ACCEPT THIS TREATMENT.

Respectfully Submitted,

/s/ Mark Podis

Mark R. Podis #012216

Attorney for Debtors

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been delivered to the Chapter 13 Trustee, P.O. Box 340019, Nashville, TN 37203 and the U.S. Trustee, 701 Broadway, 3rd Floor, Nashville, TN 37203, **Victoria Jones**, 508 Amalie Court, Nashville, TN 37211, **Insolve Auto Funding**, Dept #3403, PO Box 123403, Dallas, TX 75312, Attention Claim #42-7450-Q67, **State Farm Insurance Company**, PO Box 52250, Phoenix, AZ 85072-2250, claim # 42-7450-Q67, and mailed to all creditors and parties in interest, on this the 25th day of April 2019. Copies have been sent via CM/ECF @ <http://ecf.tnmb.uscourts.gov>.

/s/ Mark Podis  
Mark R. Podis

**A TOTAL OF 29 COPIES HAVE BEEN SENT TO CREDITORS ON ATTACHED  
CREDITOR LIST**